

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Hayward Dean Minton. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Absent

Motion made by Esq. Robinson that the Court approve the minutes of the regular meeting on December 8, 2009 and the special call meeting on December 21, 2009 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the bills, claims, payments and transfers as presented with the addition of a \$700 claim to Danny Casey for a tank (copy on file, Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the First Reading of Ordinance No. 2010-1-B FY 2009-2010 budget amendment.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the following Resolution in application for LGEDF Coal Severance Grant funds in the amount of \$43,300 to purchase a new pothole patcher:

RESOLUTION

OHIO COUNTY FISCAL COURT

**BE IT RESOLVED BY THE OHIO COUNTY FISCAL COURT**, that David Jones, Ohio County Judge Executive, is hereby authorized to submit a Project Scope and Budget form to the Department for Local Development in application for a Local Government Economic Development Fund (LGEDF) Coal Severance Grant up to \$43,300.00 to purchase a new pothole patcher for use by the Ohio County Road Department.

**BE IT FURTHER RESOLVED** that the County Judge Executive is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by DLG for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

**IT IS HEREBY ORDERED THIS 29<sup>st</sup> DAY OF DECEMBER 2009.**

DAVID JONES  
OHIO COUNTY JUDGE EXECUTIVE

ATTEST:

CHERYL MORRIS  
FISCAL COURT CLERK

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to continue to pay an employee’s county provided group plan health insurance premiums, that county was paying prior to injury, for any employee who is off work drawing workers compensation income benefits due to a work related injury AND whose FMLA time has expired or who may not yet qualify for FMLA AND have been placed under COBRA in accordance with COBRA guidelines.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to allow an employee’s vacation time to continue to accrue while off for a work related injury and receiving workers compensation benefits.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve for the purpose of calculating an employee’s overtime, that sick time, holiday time and vacation time hours count toward total hours worked over 40; to be effective when the Administrative Code is amended.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to appoint Joe Woods as Road Foreman for a two-year term at his current rate of pay.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve the appointment of Clifton Sanders to the Ohio County Regional Wastewater District Board to fill the remaining term of Leslie C. White to expire January 1, 2011.

Roll Call Vote:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said recommendation was approved, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to add the following projects to the waterline extension prioritization list:

Road Name	Size of Line	Length	Est. Cost
Stenberg Ln	2”	2,000 ft	\$28,000
Oak Grove Road	2”	2,410 ft	\$34,000
Oak Grove Road	3”	550 ft	

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to add Melba Lane to the waterline extension prioritization list.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to allow all new hires in the 911 Dispatch Center to complete and pass the Telecommunicator Professional Standards Act (TPS) within their six month probationary period.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go into Closed Session for the discussions of pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into Closed Session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into Closed Session is for discussion of pending litigation.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go back into Open Session. No other business was discussed or action taken during the Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to pay \$393,187.12 to RPR Contractors, LLC in reimbursement for ice storm disaster debris reduction work performed on Back Gate Drive and Lewis Creek Lane.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to solicit at least five (5) quotes from various agencies for the county's group plan health insurance coverage.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the meeting is adjourned.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Absent
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk